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INLAND TRANSPORT COMMITTEE

Working Party on Customs Questions
affecting Transport

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**CUSTOMS CONVENTION ON THE INTERNATIONAL TRANSPORT OF GOODS
UNDER COVER OF TIR CARNETS (TIR CONVENTION, 1975)**

Application of the Convention

Validity of curtain-sided vehicles

Transmitted by the Government of Sweden

A. EXECUTIVE SUMMARY

1. Amendment of paragraph 11 and introduction of a new paragraph 12 to Annex 2, Article 3 of the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention, 1975) concerning the approval of curtain-sided vehicles.

B. ACTION TO BE TAKEN

2. Amendment of paragraph 11 and introduction of paragraph 12 to Annex 2, Article 3.

C. RELATED DOCUMENTS

3. TRANS/WP.30/R.32: Validity of load compartments with sliding sheets (transmitted by the Government of Belgium); TRANS/WP.30/R.166: Approval of curtain-sided vehicles (transmitted by the Government of United Kingdom); TRANS/WP.30/1998/14 and Add 1: Approval of curtain-sided vehicles (transmitted by the Government of the Czech Republic); TRANS/WP.30/1999/15: Validity of curtain-sided vehicles (note by the secretariat).

D. INTRODUCTION

4. In order to allow the market organizations to operate smoothly and to achieve a world-wide market without creating technical barriers to trade with different provisions for vehicles intended for the transport of goods under Customs seals, harmonization regarding the technical requirements for these vehicles is necessary. The proposed amendments to Annex 2 of the Convention given in this document cater for that very harmonization, providing the technical conditions for curtain-sided vehicles in order to make TIR operations and indeed other operations under Customs control possible with such vehicles.

E. PROPOSAL AMENDMENT OF THE CONVENTION

Annex 2, Article 3, paragraph 11 (a) (1999 TIR Handbook, page 116)

Insert, after the last sentence of paragraph 11 (a), a new sentence to read as follows:

“Neither shall a flap be required for curtain-sided vehicle constructions”.

Annex 2, Article 3, paragraph 12 (1999 TIR Handbook, page 117)

Insert a new paragraph 12 to read as follows:

“12. Vehicles with sliding sheets

The sliding sheets, floor, doors and all other constituent parts of the load compartment shall either fulfil the requirements in Annex 2, Article 3, paragraphs 6, 8, 9 and 11 (where applicable), or the requirements set out in (i) to (vi) below (where applicable).

The sliding sheets, floor, doors and all other constituent parts of the load compartment shall be assembled in such a way that they cannot be opened or closed without leaving obvious traces.

The sheet shall overlap the solid parts of the vehicle by at least 50 mm. The horizontal opening between the sheet and the solid parts of the load compartment may not exceed 10 mm at any place when the load compartment is secured and sealed for Customs purposes.

The sliding sheet guidance and other movable parts shall be assembled in such a way that closed and Customs sealed doors and other movable parts cannot be opened or closed from the outside without leaving obvious traces. The sliding sheet guidance and other movable parts shall be assembled in such a way that it is impossible to gain access to the load compartment without leaving obvious traces.

The horizontal distance between tensioning straps shall not exceed 200 mm. The space may, however, be greater but shall not exceed 300 mm between tensioning straps on either side of the upright if the construction of the vehicle and the sheets is such as preventing all access to the load compartment. In any case, the conditions laid down in (ii) above shall be complied with.

The distance between the rings on the solid parts of the vehicle, used for Customs purposes, shall not exceed 550 mm.

The fastenings used to secure the sheets to the solid parts of the vehicle shall fulfil the requirements in Annex 2, Article 3, and paragraph 9.”

F. JUSTIFICATION

5. It has generally been agreed within the Working Party that the criteria for approval of curtain-sided vehicles for use under the TIR regime is not only whether access can be gained to the load compartment, but whether the nature of the construction complies with the TIR Convention.

G. SECURITY OF CURTAIN-SIDED VEHICLE CONSTRUCTION

6. Notwithstanding the wording of Articles 31 paragraph 2 and 3, paragraph 6 of Annex 2 of the Convention, it has generally been accepted that these vehicles cannot meet the requirements of the Convention because of the ease with which goods may be introduced into the load compartment past the curtain. In fact, it is only the design of the curtain that prevents this as the roof, floor, front bulkhead and rear doors could meet the requirements, subject to the use of the correct fastening devices.

H. CURRENT CONSTRUCTION OF CURTAIN-SIDED VEHICLES

7. A description of the design of a typical curtain-side is given below:

- (a) The curtain is made of a one-piece tough flexible material. Affixed along the top edge at regular intervals are rollers or slides which move along a track designed into the top side rail. The top rail is supported by a corner post fitted at the front and at the rear of the load compartment.

 - (b) The two ends of the curtain are attached to metal rods. The metal rod at one end of the curtain is located into sockets mounted inside the "U" section of the corner posts. The curtain is then drawn to the other corner post, and the metal rod is inserted into the socket. A ratchet mechanism is then used to wind the curtain around the metal rod, pulling the curtain tight. This effectively seals the front and rear of the curtain but allows access along the top and bottom of the curtain.
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